

Cesar Alejandro Martinez BR7255

Name and Prisoner/Booking Number

Delano State Prison

Place of Confinement

Facility D6 Bld, ASU cell 1226L

Mailing Address

Delano CA 93216

City, State, Zip Code

FILED

Jul 06, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Cesar Alejandro Martinez

(Full Name of Plaintiff)

Plaintiff,

(1) Martin Brandon

(Full Name of Defendant)

(2) Other officers. YCPD (police)

(3) Castillo (guard) Sutter County
Jail staff

(4)

Defendant(s).

Check if there are additional Defendants and attach page 1-A listing them.

) CASE NO. 2:22-cv-1161-DB (PC)
(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

Original Complaint
 First Amended Complaint
 Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 Other: _____

2. Institution/city where violation occurred: Yuba City Ca,

B. DEFENDANTS

1. Name of first Defendant: Martin Brandon. The first Defendant is employed as: Police officer at Yuba City Police Department.
 (Position and Title) (Institution)

2. Name of second Defendant: Other officers. The second Defendant is employed as: Police officers at Yuba City Police Department.
 (Position and Title) (Institution)

3. Name of third Defendant: Sutter County jail officers. The third Defendant is employed as: jail officers at Sutter County jail, CA.
 (Position and Title) (Institution)

4. Name of fourth Defendant: Castillo. The fourth Defendant is employed as: Sutter County jail guard at Sutter County jail Yuba City, CA.
 (Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No

2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:

a. First prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

b. Second prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

c. Third prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: Excessive force by an officers. On body cams, handcuffed, no resistance handson my head.

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input checked="" type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____	

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I put my hands on my head then they grabbed my head slammed it to the pavement. Then proceeded to hit me in the back with no reason. I think their racist, I'm mexican-american. There's no need for that. They've been caught under oath lying second to last case, Sutter County Jail never brought me information with their supposed investigation. An ~~Idiot~~ officer said he'd look into it. I heard the actual officer in the back crying the "Martin Brandon". That's not normal procedure. I was arrested because he had an scratch on his hand from assaulting me pretty much. When I asked why I was being arrested. Ridiculous! They need an medium act to stop this behaviors in my hometown. There's body cam footage of when I was arrested. Rodney Kinged pretty much.

Case # CRM22-000155

My working man right arm is Injured
I'm right handed. Jeopardizes myself working for my life sakes.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

They slammed my head to the pavement. Then beat my spine shoulder broken... my collar bone, wanting too,

5. **Administrative Remedies:**

a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution?

Yes No

b. Did you submit a request for administrative relief on Claim I?

Yes No

c. Did you appeal your request for relief on Claim I to the highest level?

Yes No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

I had an plain clothes officer video record me with my story and didn't receive information from his investigation (Boys)

CLAIM II

1. State the constitutional or other federal civil right that was violated: They have an intercom where you get writeups for talking using it to talk!

2. **Claim II.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Threat to safety	<input checked="" type="checkbox"/> Other: <u>Freedom of Speech</u>	

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim II. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

They give everyone threats of writeups for speaking to themselves thru the intercom. An two way radio. Very rude sadistic. Talking when I talk to make me mad. Writeup threats. Very evil draconic place. Sutter County jail. I managed to not get any writeups. And gave them grievances as many as I could. They only allow two a month and then aggravate you when they know you've made yours. Limit. Retaliations definitely is the way and had furthermore of the grievance process. I had an officer bring me to Delano making false statements about me to the prison staff and I got it to stop an. Dominant type issue here at Delano prison. the grievance system. Everybody there has gotten writeups for using it and I know that's wrong has no place in our society and should all of them prisoners be checked for their unconstitutional writeups upon themselves. Awful, please help with this this is very bad things to come out of an
small town where I was born. I think it's being ruined intentionally.
whole of them officers & jail people. In my opinion.
attorney Yuba City CA (YCPD) [REDACTED] Case # CRM22-0000155.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

My freedom of speech. Limited Grievances. Indanger, interrogations with persons there don't interview. Seeing to my grievances at Sutter County. Not letting me talk and threatening myself with writeups. Emotional Distress.

5. **Administrative Remedies.**

a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution?

Yes No

b. Did you submit a request for administrative relief on Claim II?

Yes No

c. Did you appeal your request for relief on Claim II to the highest level?

Yes No

d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. They had more issues where I couldn't even talk. To many grievances to look at. Didn't let me and I'd just threatened to use intercom

CLAIM III

1. State the constitutional or other federal civil right that was violated: Didn't let me file charges on an white assailent instead punish myself.

2. **Claim III.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input checked="" type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input checked="" type="checkbox"/> Threat to safety	<input type="checkbox"/> Other: _____	

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim III. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

I was assaulted then I was punished. Wasn't allowed to file charges. Supt Olson then told me I was the one who assaulted himself like give me a break. Also it would be better for myself if I encountered of himself to have some type of report beforehand, in the street I mean. Endangering myself caught on video in "I block". Castillo didn't let me file charges initially put me in trouble, messed with my freedom of speech talking when I spoke sadistically. County police guard, Sutter County jail (the) City CA Not letting be file charges on assault by white racist. Guard Castillo covering it up for himself another racist guard there. Discriminated myself. Awful occurrence didn't this to happen to inmates this doesn't happen in America.

Case # CRM22-0000155

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Emotional distress. Putting me endanger in the street for not filing charges on an white assailent. Caught on camera. Told Castillo right away! Sutter County jail

5. **Administrative Remedies.**

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- Did you submit a request for administrative relief on Claim III? Yes No
- Did you appeal your request for relief on Claim III to the highest level? Yes No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

I want Head & shoulder spine injury
moderate compensation (money). Also for Emotional distress for
harassment for themselves to stop pursuing my persecution by
police officers Hispanic as well. Settling court case Harassment to
take moderate compensation as well. From unconstitutional behavior
putting me in danger. Emotional distress as well with my freedom of
speech on their Intercom. Bad precedent furtherance uncapitalist.

\$2000.00.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4.26.22
DATE


SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.